

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

ANTHONY EID, an individual,

Plaintiff,

Case No. 2:20-cv-11718

Hon. Gershwin A. Drain

Mag. Judge David R. Grand

v.

WAYNE STATE UNIVERSITY, WAYNE
STATE UNIVERSITY SCHOOL OF
MEDICINE, NIKOLINA CAMAJ, MARGIT
CHADWELL, MATT JACKSON, RICHARD
S. BAKER, and R. DARIN ELLIS,
in their individual and official capacities,
jointly and severally,

Defendants.

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JOINT MOTION TO EXTEND EXPERT DISCOVERY DEADLINE AND
MEMORANDUM IN SUPPORT WITH PROPOSED STIPULATED
ORDER ATTACHED

Now come Plaintiff, Anthony Eid, and the Defendants, Wayne State University, Wayne State University School of Medicine, Nikolina Camaj, Margit Chadwell, Matt Jackson, Richard S. Baker, and R. Darin Ellis (“Defendants”), by and through counsel, and move to extend the expert discovery deadline two months; the motion deadline one and one half months; and for the economic loss expert discovery to be completed as set forth in and for the reasons fully set forth in the attached memorandum in support.

Respectfully Submitted,

/s/ Elizabeth M. Vincent
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MEMORANDUM IN SUPPORT

The parties have diligently been working to request, gather, analyze, and respond to expert discovery. The parties have exchanged written discovery requests with one another. They have most recently been in contact with one another to discuss the status of expert discovery, to identify a date for mutual exchange of expert reports, which is not currently provided for in the scheduling order, and to discuss the scheduling of depositions after the exchange of expert reports, as well as to streamline the expert discovery regarding damages.

Counsel for Defendants and counsel for Plaintiff have met and conferred regarding the expert discovery deadline currently set for November 15, 2021. The parties mutually agreed to extend expert discovery to January 15, 2022, and for Plaintiff's due process expert to file his report on a mutually agreeable date prior thereto.

Additionally, the parties have agreed that there is good cause and it is in the interest of both parties and the efficient administration of justice to defer expert discovery regarding economic damages until after any decision on motion(s) for summary judgment. The parties propose that Plaintiff's expert report regarding economic loss shall be due 21 days from the date of the issuance of an order resolving any motions for summary judgment, whether filed by Plaintiff or

Defendants. Defendants' economic loss expert report shall be due 21 days after the Plaintiff's expert report. An additional 21 days shall then be granted whereby Plaintiff and Defendants shall conduct depositions of all economic loss experts.

All counsel agreed that extending the discovery deadline is justified by good cause and is necessary in order to give all parties additional time within which to analyze the opposing parties' expert reports, to schedule depositions thereafter, to utilize the information and testimony taken, and also in consideration of the scheduling challenges which frequently occur during the holiday season. The extension of these deadlines would not affect the scheduling of the final pretrial order.

For the foregoing reasons, the parties respectfully request that this Joint Motion be granted, and that the expert discovery deadline and motion deadline each be extended by two months.

Respectfully Submitted,

/s/ Elizabeth M. Vincent

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**STIPULATED ORDER EXTENDING DISCOVERY DEADLINE AND
MOTION DEADLINE**

This matter is before the Court upon the agreement of Plaintiff, Anthony Eid, and the Defendants, Wayne State University, Wayne State University School of Medicine, Nikolina Camaj, Margit Chadwell, Matt Jackson, Richard S. Baker, and R. Darin Ellis (“Defendants”). Specifically, Plaintiff and Defendants agree that it is necessary to extend the deadline for expert discovery and related matters as described in Fed. R. Civ. P. 16(b) from November 15, 2021 to January 15, 2022, and to extend the deadline for motions from December 13, 2021 to January 31, 2022. Plaintiff’s expert report regarding economic loss shall be due 21 days from the date of the issuance of an order resolving any motions for summary judgment, whether filed by Plaintiff or Defendants. Defendants’ economic loss expert report shall be due 21 days after the Plaintiff’s expert report. An additional 21 days shall then be granted whereby Plaintiff and Defendants shall conduct depositions of all economic loss experts.

This Court finds the agreement acceptable and that it is not interposed for delay. Accordingly, it is ORDERED that the April 19, 2021 scheduling order is amended as follows:

	Current Date	Proposed Date
Expert Discovery Cutoff	November 15, 2021	January 15, 2022
Dispositive Motion Cutoff	December 13, 2021	January 31, 2022

Plaintiff's Expert Report re: Economic Loss	N/A	21 days from the date of issuance of order resolving motions for summary judgment
Defendant's Expert Report re: Economic Loss	N/A	21 days after Plaintiff's expert report
Expert Depositions re: Economic Loss	N/A	21 days after Defendant's expert report

All other dates in the April 19, 2021 scheduling order remain the same.

IT IS SO ORDERED.

DISTRICT COURT JUDGE

Dated: _____, 2021.

Approved and agreed by:

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